IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: MCCARTHY ET AL. Attorney Docket No. ID-504 (80226) Serial No. 10/779,402 Examiner: M. NGUYEN Confirmation No. 2799 Art Unit: 2442 Filing Date: FEBRUARY 13, 2004 For: COMMUNICATIONS SYSTEM PROVIDING SERVER LOAD BALANCING BASED UPON WEIGHTED HEALTH METRICS AND RELATED METHODS

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF Commissioner for Patents P O Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner. The fee in the amount of \$540.00 to cover the fee for the filing of this Notice of Appeal is being paid by credit card. The Commissioner is authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.

Respectfully submitted,

JEREMY B. BERMAN, ESQ. Reg. No. 60,582

Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.

Attorney for Applicants